UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

July 16, 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE

Chuck Bull, Plant Manager
Coyne International Enterprises Corp.
20 Howard Avenue
New Bedford, MA 02745

Re: Clean Air Act Reporting Requirement and Testing Order, Docket No. AAA-09-0021

Dear Mr. Bull:

The United States Environmental Protection Agency ("EPA") is evaluating whether Coyne International Enterprises Corp., doing business as Coyne Textile Services of New Bedford, Massachusetts ("Coyne"), is in compliance with the Clean Air Act (the "Act") and state and federal regulations promulgated under the Act. These requirements include but are not limited to a Massachusetts Limited Plan Approval dated 7/13/94, and federally enforceable sections of the Massachusetts State Implementation Plan regulations at 310 CMR 7.00 et. seq.

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require any person who owns or operates any emission source to establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether a facility is in compliance with the Clean Air Act. This letter requires Coyne to provide specific information about its New Bedford facility as described in the Reporting Requirement section. In addition, this letter orders Coyne to test emissions from its New Bedford facility as described in the Testing Order section.

Reporting Requirement

Within 60 days of receiving this letter, Coyne is required to provide the following information:

1. Provide the following information about Coyne's facility located at 20 Howard Avenue in New Bedford, Massachusetts ("the New Bedford facility"):
    a. Describe the ownership and business structure;

b. Indicate the date and state of incorporation;
c. List any partners or corporate officers;
d. List any parent and subsidiary corporations;
e. Provide the number of employees at the New Bedford facility;
f. Provide the net worth of the company; and
g. Provide the date that Coyne began operations at the New Bedford facility.

2. Describe the logistics associated with receiving and transporting laundry to the New Bedford facility. Specifically,
    a. Indicate whether soiled laundry is picked up at individual customer locations exclusively, or whether Coyne uses any drop off centers or other types of collection facilities;
    b. If drop-off centers or other types of collection facilities are used, specify the location(s) of these facilities;
    c. Indicate whether laundry pick-ups scheduled for particular set days of the week, or on an "as needed basis;"
    d. State how long trucks are typically in transit with each customer's laundry;
    e. Describe how laundry is stored within trucks (e.g., whether solely within individual customer bags, or in bags contained within bins, vats, bays or other types of containment);
    f. Provide specifications on the types of bags provided to customers for storage of their laundry (e.g., the capacity of the bags, and whether the bags are designed to separate any liquids contained within the soiled laundry).

3. Indicate the percentage of laundry operations at the New Bedford facility associated with towel laundering vs. other types of laundering (such as uniforms, dust mops, walk-off mats, aprons, etc.). Specify the average lb/week of laundry processed at the New Bedford facility and average lb/week of soiled towels processed at the New Bedford facility.

4. Provide the following information on the washers and dryers used for laundering towels at the New Bedford facility, including:
    a. Make, model, capacity and any other operational specifications of each washer and dryer;
    b. Date of purchase of each washer and dryer;
    c. Date of installation of each washer and dryer;
    d. Date that each washer or dryer was put into operation.

5. List each item of process equipment (e.g. extractors, aeration dryers) and process support equipment (e.g. boilers, compressors) costing above $10,000 that Coyne has purchased since January 1989. Also, for each such piece of equipment, provide the following information:
    a. The purpose/role of the equipment;
    b. The cost and date of purchase;
    c. The date installation was completed;
    d. The date the equipment began operating; and

e. The name of the manufacturer, model number, size, maximum production rate, and any other operational specifications.
f. Information pertaining to any emission control devices associated with such process equipment, including the type of emission control device, when such device was installed, and any data pertaining to emission reductions from use of such device.

6. Provide any calculations or data, including any emission factors, that quantify the volatile organic compound ("VOC") emissions from towel laundering operations at the New Bedford facility.

7. Provide copies of all records Coyne has used to track the monthly VOC emissions at the New Bedford facility between January 1, 2004, and June 30, 2009. The records should include the total amount of materials that contain VOCs, including cleaning agents, solvents, soiled towels, and fuels used at the facility. Specifically:

   a. For all cleaning agents used at the facility provide copies of:
      i. All logs or receipts of shipments of cleaning agents;
      ii. The Material Safety Data Sheet ("MSDS") for each cleaning agent received (note: if the MSDS does not state VOC content, provide the manufacturer's specification of VOC content of the product);
      iii. Records of the amount of cleaning agents used each month; and
      iv. A calculation of monthly VOC emissions from cleaning agents (explain any assumptions).

   b. For all solvents used at the facility provide copies of:
      i. All logs or receipts of shipments of solvents;
      ii. The MSDS for each solvent received (note: if the MSDS does not state VOC content, provide copies of Environmental Data Sheets or manufacturer's technical specifications indicating VOC content of the product);
      iii. Records of the amount of solvent used each month; and
      iv. A calculation of monthly VOC emissions from solvents (explain any assumptions).

   c. For all soiled towels provide:
      i. The average quantity (in pounds) of soiled towels received and processed at the New Bedford facility each month in the following categories:
         1. Reddish purple towels (printing towels from sheet and web printing);
         2. Orange towels (machine garage towels);
         3. White towels (food service, furniture staining, and printing towels).
      ii. The maximum quantity of soiled towels (in pounds) received and processed per week in each of the following categories:

1. Reddish purple towels (printing towels from sheet and web printing);
2. Orange towels (machine garage towels);
3. White towels (food service, furniture staining, and printing towels).

iii. The maximum quantity (in pounds) of soiled towels processed per day at the facility, in the following categories:
   1. Reddish purple towels (printing towels from sheet and web printing);
   2. Orange towels (machine garage towels);
   3. White towels (food service, furniture staining, and printing towels);

iv. Any data describing the VOC content of any of the soiled towels, including any information on which specific solvents are contained on these towels;
v. Any data or calculations of a dirty to clean weight ratio (e.g. 200 pounds of soiled print towels will result in 100 pounds of clean print towels);
vi. Records of VOC content at any point in the wastewater stream;
vii. A calculation of monthly VOC emissions from wastewater pretreatment operations (explain any assumptions); and
viii. A calculation of monthly VOC emissions from towel laundering operations at the New Bedford facility (explain any assumptions);
ix. Any instructions provided to customers on how they should store their soiled towels and as well as any restrictions on solvent content of these towels;
x. Specifications of the load cycle times associated with soiled towels, including the typical weight of a load of towels, wash time and dryer time, for each of the following categories of soiled towels:
   1. Reddish purple towels (printing towels from sheet and web printing);
   2. Orange towels (machine garage towels);
   3. White towels (food service, furniture staining and printing towels).

d. For all fuels at the New Bedford facility, provide copies of:

i. All logs or receipts of shipments of fuel;
ii. The MSDS for each fuel received (note: if the MSDS does not state VOC content of the fuel, provide the fuel distributor's specification of VOC content);
iii. Records of the amount of fuels used each month; and
iv. A calculation of monthly VOC emissions from fuels (explain any assumptions).

8. Provide a list of all Coyne customers that have towels laundered at the New Bedford facility, specifying the client's name, city or town, and state, and the types of towels generated by this customer (reddish purple, orange, white, or a combination of these categories specifying the percentage of each category of towels). Specify the soil weight of materials generated by the customer and frequency with which Coyne accepts materials from this customer.

9. Provide copies of the calculations and the data that Coyne used to fill out the Massachusetts Department of Environmental Protection "Source Registration" for 2004 through 2008.

10. For each year from 2004 through 2009, provide an estimate of the average length of time in days that soiled towels were stored on-site or in trucks at the New Bedford location and at affiliated depot locations. Include copies of supporting information.

11. Provide copies of all correspondence Coyne (or any of its predecessors) has had with state and federal environmental agencies regarding air emissions, including copies of:
    a. All permits issued;
    b. All permit applications; and
    c. Any requests for permit modifications.

12. Provide copies of analytical results for any "fugitive emissions testing" or "internal air monitoring" conducted at the New Bedford facility.

13. Provide a description of the wastewater treatment process at the New Bedford facility. Include a diagram of the wastewater treatment operations at the New Bedford facility, which includes:
    a. All tanks used for wastewater treatment (specifying the location of the tank, capacity of the tank in gallons or liters, and the type of treatment occurring in the tank – such as pH adjustment, coagulation/flocculation, etc.);
    b. Catch basins and trenches used to collect wastewater;
    c. Equipment used to extract solvents or other liquids from incoming materials.

14. Provide copies of analytical results for wastewater samples collected by Coyne, the City of New Bedford, or contractors hired by either Coyne or the City of New Bedford from January 1, 2004 to present.

15. Provide documentation associated with any off-site shipment of sludges from the New Bedford facility, and analytical results, if available, associated with these shipments, for the period January 1, 2004 to present.

Testing Order

This Testing Order ("TO") requires Coyne to sample and test emissions of VOCs from its New Bedford facility.

Within the number of days specified in each paragraph below, Coyne is required to provide all the information and take the steps outlined below.

1. Within 30 days of receipt of this TO, contact EPA's Bill Osbahr, at 617-918-8389, to schedule a pre-test conference. At the pre-test conference, EPA will review with Coyne the various sampling, monitoring, testing, and analysis locations, procedures, and methods to be followed on the date(s) of the tests.

2. Within 90 days of receipt of this TO, prepare and mail to EPA a pre-test protocol for testing VOC emissions from the New Bedford facility – using the applicable methods in 40 C.F.R. Part 60, Appendix A.

3. Within 120 days of receipt date of this TO, attend a pre-test conference with EPA, and schedule the testing date(s).

4. Within 210 days of receipt of this TO, conduct testing to measure VOC emissions from the New Bedford facility. Note that Coyne may have to create a temporary (or permanent) total enclosure around the wash room prior to conducting testing. Testing is to be conducted under a worst-case scenario with heavily soiled shop and print towels.

5. Within 60 days of completing each test, submit a complete test report to EPA.

Attachment A to this TO provides lists of required elements for pre-test protocols and test reports. Mail the submissions required by this letter to:

Susan Studlien, Director
Office of Environmental Stewardship (Mail Code SEA)
U.S. Environmental Protection Agency, Region I
One Congress Street, Suite 1100
Boston, Massachusetts 02114-2023
Attn: Joan Jouzaitis, Air Technical Unit

Be aware that if Coyne does not provide the requested information, EPA may order Coyne to comply and may assess monetary penalties under Section 113 of the Act, 42 U.S.C. § 7413. Federal law also establishes criminal penalties for providing false information to EPA. This reporting requirement is not subject to Office of Management and Budget review under the Paperwork Reduction Act.

Coyne may, if desired, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR § 2.203(b). Note that certain categories of information are not properly the subject of such a claim. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to Coyne.

If you have any questions regarding this reporting requirement, please contact Joan Jouzaitis, Environmental Engineer at (617) 918-1846 or have your attorney call Thomas T. Olivier, Senior Enforcement Counsel at (617) 918-1737.

Sincerely,

Susan Studlien

Susan Studlien, Director
Office of Environmental Stewardship

cc:

Bill Osbahr, EPA, OEME
Gregg Hunt, MassDEP, Southeast Regional Office

Enclosure

Attachment A to Testing Order

REQUIREMENTS FOR EMISSION TESTING

A. PRETEST INFORMATION REQUIREMENTS

In order to establish uniform requirements and help ensure that proper test methods and procedures are utilized, the information specified below must be submitted to EPA Region I - New England at least 30 days prior to the scheduled test date. In the event of any deficiencies or discrepancies in the test protocol, the company will be notified. Submission of this information will minimize the possibility of a test rejection resulting from improper sampling or data collection procedures.

Except as otherwise provided by EPA, testing shall be performed in strict accordance with procedures specified in the Code of Federal Regulations ("C.F.R."), Title 40, Part 60, Appendix A, Standards of Performance for New Stationary Sources, as amended, or in Title 40, Part 61, Appendix B, National Emission Standards for Hazardous Air Pollutants, as amended. Any variations in the sampling or analytical procedures must be indicated in the pretest information and receive written approval from EPA prior to testing.

The information to be submitted must include at a minimum:

1. Identification and a brief description of the source to be tested. The description should include:

    a. Type of industrial process or combustion facility;

    b. Type and quantity of raw and finished materials used in the process;

    c. Description of any cyclical or batch operations which would tend to produce variable emissions with time;

    d. Basic operating parameters used to regulate the process; and

    e. Rated capacity of the process.

2. A brief description of the air pollution control equipment associated with the process, including:

    a. Type of control device;

    b. Operating parameters;

c. Rated capacity and efficiency; and

d. Ultimate disposal of wastes.

3. Type of pollutant to be sampled (particulate matter, NOx, SO2, hydrocarbons, etc.).

4. A description of the emission sampling equipment, including a schematic diagram of the sampling train.

5. A description of the sampling and analysis procedures (reference standard methods, if applicable). Indicate any proposed variations with justification.

6. A sketch with dimensions indicating the flow of exhaust gases from the process, through the control equipment and associated ductwork to the stack.

7. In accordance with 40 C.F.R. Part 60, Method 1:

   a. An elevation view of the dimensions of the stack configuration indicating the location of the sampling ports and distances to the nearest upstream and downstream flow interferences; and

   b. A cross-sectional sketch of the stack at the sampling location with dimensions indicating the location of the sampling traverse points.

8. Estimated flue gas conditions at sampling location, including temperature, moisture content, and velocity pressure.

9. A description of the process and control equipment operating data to be collected during the sampling period.

10. Copies of the field data sheet forms to be used during the tests.

11. Names and titles of personnel who will be performing the tests.

12. A description of the procedures for maintaining the integrity of the samples collected, including chain of custody and quality control procedures.

13. Calibration sheets for the dry gas meter, orifice meter, pilot tube, and/or any other equipment that requires calibration.

14. A list of pre-weighed filters to be used during particulate emission testing, including identification and tare weights.

(Note: Items No. 13 and 14 must be submitted prior to actual testing, but do not have to be included with the pretest information.)

B. EMISSION TEST REPORT REQUIREMENTS

The emission test report must contain all pertinent data concerning the tests, including a description of the process and operating conditions under which the tests were made, the results of the tests, and test procedures. While the exact format of the report will vary depending upon the type and objective of the tests, below is a suggested format containing elements that must be incorporated in the report.

1. Introduction

    a. Identification, location, and dates of tests;

    b. Purpose of tests;

    c. Brief description of source; and

    d. Name and affiliation of person in charge of tests.

2. Summary of results

    a. Operating and emission data; and

    b. Comparison with applicable emission regulations.

3. Source description

    a. Description of process including operation of emission control equipment;

    b. Flow sheet (if applicable);

    c. Type and quantity of raw and finished materials processed during the tests;

    d. Maximum normal rated capacity of the process; and

    e. Description of process instrumentation monitored during the test.

4. Sampling and analytical procedures

    a. Description of sampling train and field procedures;

    b. Description of recovery and analytical procedures;

    c. Sketch indicating sampling port locations relative to process, control equipment upstream and downstream flow disturbances; and

d. Sketch or cross-sectional view of stack indicating traverse point locations.

5. Test results and discussion

   a. Detailed tabulation of results including process operating conditions, flue gases conditions;

   b. Discussion of significance of results relative to operating parameters and emission regulations; and

   c. Discussion of any divergences from normal sampling procedures or operating conditions which could have affected the test results.

6. Calculation and data reduction methods

   a. Description of computational methods, including equation format used to obtain final emissions results from field data; and

   b. Sample calculations from at least one run of each type of test performed.

7. Appendix

   a. Copies of all field data collected during the test, including sampling data sheets and process operating logs;

   b. Copies of all analytical laboratory data;

   c. Calculation sheets or computer input and output data;

   d. Sampling equipment and laboratory calibration data;

   e. Names and titles of personnel and organizations participating in the tests;

   f. Visible emission observations performed during the tests (if required); and

   g. Copies of all chain of custody information.

EPA United States Environmental Protection Agency

Office of Enforcement and Compliance Assurance (2201A)
EPA 300-F-07-003 October 2007

Office of Enforcement and Compliance Assurance

INFORMATION SHEET

U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance resources such as workshops, training sessions, hotlines, websites, and guides to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance, and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

Compliance Assistance Centers

(www.assistancecenters.net)
In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers that provide information targeted to industries with many small businesses.

Agriculture
(www.epa.gov/agriculture or 1-888-663-2155)

Automotive Recycling Industry
(www.ecarcenter.org)

Automotive Service and Repair
(www.ccar-greenlink.org or 1-888-GRN-LINK)

Chemical Industry
(www.chemalliance.org)

Construction Industry
(www.cicacenter.org or 1-734-995-4911)

Education
(www.campuserc.org)

Healthcare Industry
(www.hercenter.org or 1-734-995-4911)

Metal Finishing
(www.nmfrc.org or 1-734-995-4911)

Paints and Coatings
(www.paintcenter.org or 1-734-995-4911)

Printed Wiring Board Manufacturing
(www.pwbrc.org or 1-734-995-4911)

Printing
(www.pneac.org or 1-888-USPNEAC)

Transportation Industry
(www.transource.org)

Tribal Governments and Indian Country
(www.epa.gov/tribal/compliance or 202–564-2516)

US Border Environmental Issues
(www.bordercenter.org or 1-734-995-4911)

The Centers also provide State Resource Locators (www.envcap.org/statetools/index.cfm) for a wide range of topics to help you find important environmental compliance information specific to your state.

EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

EPA's Home Page
www.epa.gov

Small Business Gateway
www.epa.gov/smallbusiness

Compliance Assistance Home Page
www.epa.gov/compliance/assistance

Office of Enforcement and Compliance Assurance
www.epa.gov/compliance

Voluntary Partnership Programs
www.epa.gov/partners

U.S. EPA SMALL BUSINESS RESOURCES

Hotlines, Helplines & Clearinghouses

(www.epa.gov/epahome/hotline.htm)
EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. A few examples are listed below:

Clean Air Technology Center
(www.epa.gov/ttn/catc or 1-919-541-0800)

Emergency Planning and Community Right-To-Know Act
(www.epa.gov/superfund/resources/infocenter/epcra.htm or 1-800-424-9346)

EPA's Small Business Ombudsman Hotline provides regulatory and technical assistance information.
(www.epa.gov/sbo or 1-800-368-5888)

The National Environmental Compliance Assistance Clearinghouse provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers
(www.epa.gov/clearinghouse)

National Response Center to report oil and hazardous substance spills.
(www.nrc.uscg.mil or 1-800-424-8802)

Pollution Prevention Information Clearinghouse
(www.epa.gov/opptintr/ppic or 1-202-566-0799)

Safe Drinking Water Hotline
(www.epa.gov/safewater/hotline/index.html or 1-800-426-4791)

Stratospheric Ozone Refrigerants Information
(www.epa.gov/ozone or 1-800-296-1996)

Toxics Assistance Information Service also includes asbestos inquiries.
(1-202-554-1404)

Wetlands Helpline
(www.epa.gov/owow/wetlands/wetline.html or 1-800-832-7828)

State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information or the following two resources:

EPA's Small Business Ombudsman
(www.epa.gov/sbo or 1-800-368-5888)

Small Business Environmental Homepage
(www.smallbiz-enviroweb.org or 1-724-452-4722)

Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses:

The Small Business Compliance Policy
(www.epa.gov/compliance/incentives/smallbusiness)

Audit Policy
(www.epa.gov/compliance/incentives/auditing)

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an SBA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System (NAICS) designation, number of employees, or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.